

II. Remarks

Claims 62-67 and 69-74 are currently pending. Claim 68 has been withdrawn, as it does not read on the elected species, and it has been amended without prejudice to correct claim dependency. It is respectfully submitted that no new matter has been added by virtue of this amendment.

In the Election Requirement, Applicants were required, under 35 U.S.C. §121, to elect a single disclosed species for prosecution on the merits. Specifically, claims 62, 65 and 69 were deemed generic with respect to "opioid antagonist". Applicants note that claims 65 and 69 recite an "opioid agonist" rather than an "opioid antagonist" as indicated in the Election Requirement. Therefore, Applicants will respond with respect to both an "opioid agonist" and an "opioid antagonist".

In response, Applicants elect, without traverse, "oxycodone" as the opioid agonist and "naltrexone" as the opioid antagonist. Claim 68 has been withdrawn, as it does not read on the elected species.

III. Conclusion

A response to the Notice of Non-Compliant Amendment is due 1 month from the date of mailing, i.e., June 7, 2007. Accordingly, this response is being timely filed and no fees are believed due. If any fees are deemed due in connection with the filing of this communication, the Commissioner is hereby authorized to charge any fees to Attorney Deposit Account No. 50-0552.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 

Robert J. Paradiso
Reg. No. 41,240

DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940